

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DON MITCHELL,</b>	<b>:</b>	<b>CIVIL ACTION NO. 18-CV-3678</b>
<i>Plaintiff</i>	<b>:</b>	
<b>v.</b>	<b>:</b>	
<b>READY WILLING &amp; ABLE OR THE</b>	<b>:</b>	
<b>DOE FUND</b>	<b>:</b>	
<i>Defendant</i>	<b>:</b>	

**O R D E R**

AND NOW, this 3<sup>rd</sup> day of October 2018, upon consideration of Plaintiff Don Mitchell's ("Mitchell") *pro se* Second Amended Complaint (ECF No. 10), it is hereby **ORDERED** that:

1. The Clerk of Court shall amend the caption of the Second Amended Complaint to reflect that the following are the named Defendants: (1) "Administrative Staff Ready Will & Able"; (2) Mr. Jason Miller, Executive Director; (3) Tulsa Wills, House Manager; (4) Ruth Salters, Career Development; (5) Delbert L. Higgins, Career Development; (6) Mr. Harris, Supervisor; (7) Bob Apelian, Supervisor; (8) Joseph Randle, Supervisor; and (9) Frank Bagley, Supervisor.

2. Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the Second Amended Complaint is **DISMISSED** for failure to state a claim, for the reasons set forth in the Court's Memorandum. Mitchell's federal claims are **DISMISSED**, with prejudice. Any state law claims Mitchell raises are **DISMISSED**, without prejudice, for lack of subject matter jurisdiction. Mitchell may not file a third amended complaint in this matter.

3. The Clerk of Court shall mark this case **CLOSED**.

**BY THE COURT:**

*/s/ Nitzia I. Quiñones Alejandro*  
**NITZIA I. QUIÑONES ALEJANDRO, J.**  
*Judge, United States District Court*